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RECIPIENT: Examiner DiBrino**OFFICIAL**COMPANY: USPTO, Art Unit 1644FROM: Paul F. Fehlner, Ph.D. 212-527-7665NUMBER OF PAGES TRANSMITTING  
(INCLUDING COVER SHEET)\*: 5

## COMMENTS:

Examiner DiBrino:

Please confirm receipt of this transmission by return fax or email  
([pfehlner@darbylaw.com](mailto:pfehlner@darbylaw.com)).Best regards,  
Paul Fehlner

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File No. 4305/1E144-US1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Hans Henrik Ipsen *et al.*

Serial No.: 09/270,910

Group Art Unit: 1644

Filed: March 16, 1999

Examiner: M. DiBrino

For: NOVEL RECOMBINANT ALLERGENS

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES**

Sir:

We wish to thank Examiner DiBrino for the courtesies extended during a telephone conference regarding the above-referenced Notice to Comply with Sequence Rules (copy enclosed). Further to the conference, we herein acknowledge that the sequence listing submitted with this application, on August 14, 2000, is in compliance with USPTO Sequence Rules and that submission of a new sequence listing is not required. We believe this communication to be fully responsive to the Notice.

Respectfully Submitted,



Paul F. Fehlner  
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Attorney for Applicants

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| ART UNIT | PAPER NUMBER |
| (644)    | 12           |

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

The communication filed on 8/18/00 is not fully responsive to the communication mailed 6/14/00 for the reason(s) set forth on the attached Notice to Comply with the Sequence Rules. Applicant is required to provide SEQ ID NO for all sequences disclosed in the instant application, including the mutated sequences appearing in Figure 13.

Since the response appears to be bona fide, but through an apparent oversight or inadvertence failed to provide a complete response, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment.  
EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication should be directed to Examiner Marianne DiBrino, Art Unit 1644, whose telephone number is 703-308-0061.

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist whose telephone number is (703) 308-0196.

*Marianne DiBrino*

Marianne DiBrino, Ph.D.

*PHILLIP GAMBEL*  
PHILLIP GAMBEL, PH.D.  
PRIMARY EXAMINER  
TECH CENTER 1600  
(313) 308-0061

*11/30/00*

**Application No.: 09/270,910**

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other. Applicant is required to provide SEQ ID NO: for all sequences disclosed in the instant application, including the mutated sequences appearing in Figure 13.

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216  
For CRF Submission Help, call (703) 308-4212  
Patent Software Program Support (SIRA)  
Technical Assistance.....703-287-0200  
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